IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O. O. C. J.

WRIT PETITION NO.1787 OF 2006

Nitin Gandhi & anr. ..Petitioners.

Vs.

State of Maharashtra & Ors. ..Respondents.

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Mr. M.K. Nesari for the Petitioners.
Mr. K.R. Belosey, AGP for Respondent Nos.1 and 2.
Mr. Jokhim Reis for Respondent No.4.

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CORAM: DR. D.Y. CHANDRACHUD, J.
7th August, 2006.

P.C. :

The Petitioner challenges in these proceedings an order passed in RTS proceedings. The Petitioner has already instituted a suit, (Suit 2096 of 2006) on the Original Side of this Court in which a declaration has been claimed in respect of the Petitioner's' undivided half share in the leasehold property bearing Plot No.482 corresponding to CTS No.1409 admeasuring 534.07 sq. mtrs. and situated at Chembur, Mumbai. A partition by metes and bounds has also been sought. It is a well settled principle of law that revenue entries are not conclusive on questions of title. The Petitioner having already instituted a proceeding for the assertion of his title, interference under Article 226 is not warranted. The Petition is dismissed only on this ground.